

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

09-CR-327-A

06-CR-325-A

ORDER

LAWRENCE MELSON,

Defendant.

On March 12, 2012, the Court sentenced the Defendant to 110 months' imprisonment after he pled guilty to two narcotics offenses. On February 1, 2016, the Court granted the Government's Rule 35 motion and reduced the Defendant's sentence to a period of time served, which resulted in a total sentence of approximately 78 months' imprisonment. The Defendant was released from the Bureau of Prisons on February 16, 2016. He then began his three-year term of supervised release.

The Defendant has now filed a motion for early termination of his supervision. See Docket No. 66. A court may reduce a term of supervised release if a defendant has served at least one year of supervised release and if the Court is satisfied, after considering the factors set forth in 18 U.S.C. § 3553(a), "that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e).

The Defendant's primary argument for early termination is that, since his release, the Defendant has attained a commercial driver's license and has worked as a truck driver for the Salvation Army. The Defendant states that he has been offered several interstate trucking jobs offering higher pay, but that the terms of his supervised release

prevent him from accepting those jobs. The Defendant's Probation Officer reports that the Defendant has been compliant with all standard and special terms of supervision. The Probation Officer also reports that all of the Defendant's post-release drug tests have been negative, and that the Defendant "submits his Monthly Supervision Reports in a timely manner and has no problem reporting to the office when told." For these reasons, the Probation Officer has no objection to early termination. The Government takes no position on the Defendant's request.

In light of the Probation Officer's report, and after considering the factors set forth at 18 U.S.C. § 3553(a), the Defendant's motion for early termination of supervision is granted. The Defendant's term of supervised release is terminated.

SO ORDERED.

Dated: March 6, 2017
Buffalo, New York

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE